

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:19-CR-00564-BSM

MONTERRIO FULLER

DEFENDANT

ORDER

Monterrio Fuller’s pro se motion to reduce his sentence [Doc. No. 417] is denied because the retroactive application of Amendment 821 to the Federal Sentencing Guidelines does not reduce his sentencing range. This is true because Fuller is ineligible from benefitting from the zero-point reduction because he possessed a firearm in connection with the offense. *See* U.S.S.G. § 4C1.1(a)(7). Additionally, Fuller’s plea agreement “waive[d] the right to have the sentence modified pursuant to Title 18, United States Code, Section 3582(c)(2)” Doc. No. 293 at 3. Because Fuller knowingly and voluntarily entered into his plea agreement, he is not entitled to relief. *See United States v. Cowan*, 781 F. App’x 571, 571–72 (8th Cir. 2019) (per curiam) (affirming dismissal of a § 3582(c)(2) motion when the record established that the defendant knowingly and voluntarily entered the plea agreement).

IT IS SO ORDERED this 26th day of March, 2024.


UNITED STATES DISTRICT JUDGE